

## REMARKS

Receipt of the Office Action mailed February 25, 2008 is acknowledged. Claim 22 has been amended. Support for the amendment can be found throughout the original disclosure, for example, at page 10, lines 5-19, in original Figure 3 and in the abstract of the disclosure. No new matter is believed to have been added. Upon entry of the amendment claims 19-23 will be pending in the application.

### 35 USC Section 102(b) Rejection

Claims 20-22 stand rejected under 35 U.S.C. section 102(b) as being anticipated by Byrd (U.S. Patent No. 1,547,562). Reconsideration and withdrawal of the rejection are respectfully requested.

Applicants submit that Byrd fails to anticipate or render *prima facie* obvious the claimed invention for the reasons of record. However, in order to further prosecution applicants have amended the claims to recite that the transition zone between the different diameter cavities is “relatively sharp” with a radius of curvature of less than 25 microns. The term “relatively sharp” is specifically defined in line 8, page 10 in the specifications as follows:

“Relatively sharp” means, having a radius of curvature at the junction that is less than 25 microns.

The junction in question here is defined in line 8, page 10 is the transition wall zone of the respective cavities.

Byrd is silent with respect to the radius of curvature of the junction between cavities; however, Byrd's Fig. 2 indicates that at the entrance to junction 8 and at the entrance to junction 10 the radius of curvature is very large and could be as large as half the length of the pipette itself, which clearly is much larger than 25 microns.

Hence, Byrd teaches away from a relatively sharp transition zone, by disclosing a smooth transition between the various passages 6, 8 and 10 and chambers 7 and 9. Accordingly, reconsideration and withdrawal of the rejection are respectfully requested.

### **35 USC Section 103 Rejection**

Claim 19 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Byrd. Reconsideration and withdrawal of the rejection are respectfully requested. Applicants submit that Byrd fails to anticipate or render *prima facie* obvious the claimed invention for the reason set forth above. Accordingly, reconsideration and withdrawal of the rejection are respectfully requested.

The examination of these claims and passage to allowance are respectfully requested. An early Notice of Allowance is therefore earnestly solicited. Applicants invite the Examiner to contact the undersigned at (732) 524-1496 to clarify any unresolved issues raised by this response.

The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Account No. 10-0750/CDS0255/TJB. This sheet is submitted in triplicate.

Respectfully submitted,

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